

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH
BOARD OF MEDICAL LICENSURE
AND DISCIPLINE

IN THE MATTER OF:
EDWARD L. HORAN, M.D.

DECISION

This matter came on for hearing on August 13, 1997 before three members of the Board of Medical Licensure and Discipline sitting as the hearing committee (hereinafter "Board") pursuant to Section 5-37-4.

The specific issue before the Board is whether Dr. Horan is entitled to reinstatement of his license to practice medicine in the State of Rhode Island. Dr. Horan filed a 1997 Application for Medical Licensure Renewal with an inactive status on or about March 19, 1997. The application for renewal was denied by the Licensing Committee of Board of Medical Licensure and Discipline. Pursuant to Section 5-37-4, Dr. Horan appealed that denial to the full Board and requested the within hearing. A hearing was conducted on August 13, 1997. The only sworn testimony presented was that of Dr. Horan, himself, who appeared pro se (without counsel).

Based upon the testimony and other evidence entered upon the record, the Board makes the following

FINDINGS OF FACT

Dr. Horan was a physician licensed to practice medicine in

Rhode Island until May 31, 1990.

On May 31, 1990 Dr. Horan consented to revocation of his license to practice medicine as a result of continuing problems with alcohol addiction.

Dr. Horan has not engaged in the practice of medicine since 1990.

The only competent evidence on the record is the testimony of Dr. Horan, himself, who testified that he has been alcohol free for a minimum continuous period of three years. Further, the testimony and evidence presented (State's 2) establish that, while Dr. Horan is seeking reinstatement of his medical license, he is not intending to practice medicine, as he is retired.

CONCLUSION

The reinstatement of Dr. Horan's medical license at this time would not be detrimental to the public health.

ORDER

Based upon the foregoing, the Board hereby orders the following:

1. That Dr. Horan's appeal of the decision of the Licensing Committee is granted, and the decision of the Licensing Committee is reversed.

2. That Dr. Horan's 1997 Application for Medical License Renewal is granted and his medical license is hereby reinstated, provided, however, that should Dr. Horan wish to re-enter the active practice of medicine at any time in the future, whether

treating patients or serving as a consultant, he must, prior to doing so, submit his intentions to the Board, for approval by the Board, at which time the Board shall be permitted to impose such restrictions on the license and/or requirements of Dr. Horan as the Board deems necessary to protect the public health.

Entered this 17th day of September 1997.

Bud Thomas

Bud Thomas, D.O.
Board Member

Trina Barnes

Trina Barnes
Public Member of the Board

Mary B. Arnold

Mary Arnold, M.D.
Board Member

RATIFIED AND APPROVED BY THE DIRECTOR OF HEALTH

Patricia A. Nolan MD MPH

Patricia A. Nolan, M.D., M.P.H.

NOTICE

THIS DECISION MAY BE APPEALED TO THE SUPERIOR COURT OF THE STATE OF RHODE ISLAND WITHIN THIRTY (30) DAYS HEREOF.

CERTIFICATION

I do hereby certify that I have given a copy of the within
DECISION to Bruce McIntyre, Esquire, Legal Counsel, Board of
Medical Licensure & Discipline, Department of Health, Cannon
Building, Providence, RI 02908 and mailed a copy to Edward L.
Horan, M.D., 10 Office Parkway, East Providence, RI 02914 on this
15th day of September 1997.

Carole Allsworth